

November 13, 2019

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Via ECF Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: Notice of *Ex Parte* Presentation by Polaris Wireless, Wireless E911 Location Accuracy Requirements PS Docket No. 07-114

Dear Secretary Dortch:

Pursuant to Section 1.1206 of the Federal Communication Commission's ("FCC") rules, the undersigned counsel hereby provides notice that, on November 8, 2019, Polaris Wireless Inc.'s Chief Executive Officer, Manlio Allegra and Executive Director of Business Development, Karl Kessenich, and Venable LLP attorneys Ian Volner and Meryl Bartlett (collectively "Polaris Wireless") met with Chairman Pai and Zenji Nakazawa. That same day, Polaris Wireless also met separately with Austin Bonner of Commissioner Starks' office and Travis Litman of Commissioner Rosenworcel's office.

During the meetings, Polaris Wireless expressed its support for the Fifth Report and Order establishing a +/- 3-meter z-axis metric and thanked the Commission for taking action.¹ Polaris Wireless stressed that approving the Fifth Report and Order now is important to drive implementation and further innovation. As a committed stakeholder to public safety and an innovator of high-accuracy 3D location, Polaris Wireless welcomes the industry mandate of 3-meter accuracy and remains committed to immediately cooperating with other stakeholders and further innovating solutions to achieve the goals set forth in the Fifth Further Notice of Proposed Rulemaking.

Polaris Wireless explained that, even absent floor-level information, the current z-axis accuracy technology is beneficial to Public Safety. The International Association of Fire Fighters recently explained that tests conducted in multi-story buildings with and without 3-meter altitude

¹ *Wireless E911 Location Accuracy Requirements*, PS Docket No. 07-114, Draft Fifth Report and Order and Fifth Further Notice of Proposed Rulemaking, FCC-CIRC1911-02 (rel. Oct. 29, 2019), <https://docs.fcc.gov/public/attachments/DOC-360516A1.pdf>.

Marlene H. Dortch, Secretary
November 13, 2019
Page 2

information demonstrate drastically reduced response times.² As the Commission has recognized, in these emergency-response situations, minutes cost lives.³ Further, 3-meter accuracy provides a sufficient metric for fire-fighting response as existing standard fire-fighting operations require responders to conduct search operations one floor above and one floor below any fire.⁴ Polaris Wireless also commended the Fifth Report and Order for providing clarity for the obligations under the new rules implementing Kari's Law and RAY BAUM'S Act. The objectives of those rules cannot be fully achieved until the z-axis metric is adopted so that affected parties, including enterprise MLTS operators, know what is expected of them.

While there is still work to be done, industry will progress more quickly to achieve the goals set forth in the Fifth Further Notice of Proposed Rulemaking once a clear mandate is established, thereby increasing demand from Public Safety and other markets. Polaris Wireless is ready, willing, and able to work diligently and quickly to help improve accuracy for Public Safety. Polaris Wireless has always been open to collaborating with other E911 stakeholders and continues to welcome collaboration with carriers, Public Safety, and technology vendors. The Fifth Report and Order, as written, is clear and uncomplicated and follows through on the Fourth Report and Order adopted nearly five years ago. Industry has had at least that amount of time to develop and test solutions that will satisfy the Order.

The Fifth Report and Order does not need to be the final solution, though, and the Further Notice of Proposed Rulemaking is well timed to continue evolving and testing solutions, whether facilitated and enabled through the wireless carriers or through other public safety stakeholders. Polaris Wireless remains committed to evolving location capabilities by improving horizontal accuracy, improving z-axis accuracy, expanding z-axis beyond barometric sensor-based solutions, and pursuing the capability to deliver floor-level information. Polaris Wireless recognizes the pursuit of APCO for floor-level information⁵ and stressed that it is already working, and will continue to cooperate with anyone, to refine the technology necessary to achieve floor-level accuracy. At this time, though, necessary reference building databases are simply not standardized, aggregated, or mature to the level necessary to widely deliver high-confidence, actionable floor-level information. While a majority of phones have barometric sensors, Polaris Wireless has invested in pursuing non-barometric solutions and remains committed to doing so. Polaris Wireless noted that with an established mandate (both the Fifth Report and Order and the Fifth Further Notice of Proposed Rulemaking), the development and testing of additional vendors

² International Association of Fire Fighters, Notice of Ex Parte, PS Docket No. 07-114 (filed Nov. 7, 2019).

³ *Wireless E911 Location Accuracy Requirements*, PS Docket No. 07-114, Draft Fifth Report and Order and Fifth Further Notice of Proposed Rulemaking, FCC-CIRC1911-02, para. 52-53. (rel. Oct. 29, 2019).

⁴ International Association of Fire Fighters, Notice of Ex Parte, PS Docket No. 07-114 (filed Nov. 7, 2019).

⁵ APCO International, Notice of Ex Parte, PS Docket No. 07-114 (filed Nov. 4, 2019).

Marlene H. Dortch, Secretary
November 13, 2019
Page 3

and affordable technologies can and will continue in parallel as devices, networks, and reference databases evolve.

Further, since Polaris Wireless's solution is software-based, additional improvements in devices and carrier networks can be more easily accommodated. As with the rollout of GPS technology, Polaris Wireless is confident that the establishment of a mandate will stimulate the market and meet the needs of Public Safety and all 911 users at an acceptable cost. The history of the evolution in communications technology makes it quite clear that the correct way—indeed the only way—to effectively promote innovation is to establish a mandate that provides the private sector with both the incentive and the need to further refine the technology. That is what the Fifth Report and Order, and the Fifth Notice of Proposed Rulemaking, taken together provide.

For the reasons discussed in its Reply Comments and above, Polaris Wireless respectfully requests that the Commission adopt the Fifth Report and Order establishing a +/- 3-meter z-axis metric and the Fifth Further Notice of Proposed Rulemaking providing the foundation for industry to develop the tools necessary to provide floor-level accuracy for Public Safety.

Respectfully submitted,



Ian D. Volner
Meryl E. Bartlett

Counsel to Polaris Wireless, Inc.

cc: Chairman Pai
Zenji Nakazawa
Austin Bonner
Travis Litman
David Furth
Eric Burger
Kenneth Carlberg
Alex Espinoza
Rasoul Safavian
John Evanoff
Erika Olsen
Nellie Ann Foosaner